

(2023) 05 MP CK 0056

In the Madhya Pradesh High Court

Case No : Criminal Appeal No. 6431 Of 2023

Ghanshu Dimar And Others

APPELLANT

Vs

State Of Madhya Pradesh And Others

RESPONDENT

Date of Decision : 11-05-2023

Acts Referred:

Indian Penal Code, 1860 — Section 34, 325

Citation : (2023) 05 MP CK 0056

Hon'ble Judges : Anjuli Palo, J

Bench : Single Bench

Advocate : Shivendra Shukla, Seema Jaiswal

Judgement

Anjuli Palo, J

Heard on I.A.No.10509/2023, which is first application filed on behalf of the appellants for suspension of sentence and grant of bail.

The appellants have been convicted by the trial Court under Section 325/34 of IPC and sentenced to R.I. for one year with fine of Rs.1500/-, with default stipulation.

Learned counsel for the appellants have submitted that the maximum sentence awarded to the appellants is one year. The jail sentence of the appellants is suspended till 27.05.2023 by the trial Court itself as mentioned in their application. Disposal of this appeal would take considerable time, therefore, the custodial sentence of the appellants may be suspended and they may be released on bail.

Learned Panel Lawyer has opposed the prayer for bail.

Although record is not available, however, looking to the nature of offence, period of jail sentence awarded to the appellants, without commenting on the merits of the case, I deem it to be a fit case to suspend the custodial sentence of the appellants and to release them on bail, therefore, this application is allowed.

I t is directed that subject to depositing the fine amount, if not already deposited and on furnishing a personal bond each in a sum of Rs.40,000/-(Rupees Forty Thousand only) each with one surety each in the like amount to the satisfaction of the trial Court concerned, the custodial sentence of appellants shall remain suspended and they shall be released on bail for securing their presence before the trial Court on 12.10.2023 and on such other dates as may be fixed in this regard during pendency of this appeal.

The appellants shall regularly appear before the trial Court, on each and every date, without fail.

Record of the Court below be requisitioned.

List this matter after vacation for admission.